



RCE  
2135  
PTO/SB/361  
JFW

<b>Request For Continued Examination (RCE) Transmittal</b> Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA)	<b>Application Number</b>	09/858,189
	<b>Filing Date</b>	May 14, 2001
	<b>First Named Inventor</b>	Rhoads et al.
	<b>Group Art Unit</b>	2135
	<b>Examiner Name</b>	H. Song
	<b>Attorney Docket Number</b>	P0376

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, File Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14864 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered.)

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS) with Form PTO-1449 and stated references.

iv.  Other \_\_\_\_\_

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, and any additional required fees, or credit any overpayments, to Deposit Account No. 50-1071.

i.  RCE fee required under 37 C.F.R. § 1.17(e) ( **\$790.00** filing fee)

ii.  Extension of time fee (37 C.F.R. §§ 1.136 AND 1.17)

iii.  Other \_\_\_\_\_

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

<b>Name (Print/Type)</b>	William Y. Conwell	<b>Registration No. (Attorney/Agent)</b>	31,943
<b>Signature</b>		<b>Date</b>	March 14, 2006

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: March 14, 2006

<b>Name (Print/Type)</b>	William Y. Conwell	<b>Date</b>	March 14, 2006
<b>Signature</b>			

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